

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Ivan Guacan, *on behalf of himself and others similarly situated in the proposed FLSA Collective Action,*

Case No.: 22-cv-07333

Plaintiff,

FED.R.CIV.P. 68 JUDGMENT

- against -

Hawkeye Security NY LLC, and Thomas Marcus De Los Santos,

Defendants.

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WHEREAS pursuant Rule 68 of the Federal Rules of Civil Procedure, Defendants Hawkeye Security NY LLC, and Thomas Marcus De Los Santos (collectively, the “Defendants”), having offered to allow Plaintiff Ivan Guacan (“Plaintiff”) to take a judgment against the Defendants in this action for the total sum of Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500), payable as follows:

1. A payment in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500) (the “Initial Payment”) within fourteen (14) days of the Court’s entry of the Rule 68 Judgment;
2. Two (2) installment payments in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500) payable as follows:
 - a. \$2,500 due within thirty (30) days of the Initial Payment, and
 - b. a final payment of \$2,500 due within sixty (60) days of the Initial Payment.

WHEREAS, in the event of Defendants’ failure to make any payment when due as set forth above, the breach shall result in accelerated payment equal to one hundred twenty-five percent (125%) of the remaining balance in default, together with all costs and attorneys’ fees incurred by Plaintiff in connection with any efforts to enforce any Judgment, less any payments made by

Defendants as set forth herein. Defendants acknowledge and agree that this calls for a judgment in a greater amount than the initial judgment amount as a penalty for an uncured default.

ORDERED, ADJUDGED, AND DECREED, that Plaintiff has judgment in the amount of \$7,500.00 as against Defendants.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that this action is hereby dismissed with prejudice as against Defendants.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case.

Dated: April 18, 2023
New York, New York

SO ORDERED:

